

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY _____, JANUARY 10 _____, 19 78

CITY OF FORT WAYNE INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council

Chambers Tuesday _____ evening January 10 _____ A.D., 19 78 _____, in
_____ Regular _____ Session. President Samuel J. Talarico _____ in the chair,
and Charles W. Westerman _____ Clerk, at the desk, present the following ✓

members _____ viz:

BURNS ✓ _____, HINGA DA _____, HUNTER ✓ _____,
MOSES ✓ _____, NUCKOLS ✓ _____, DONALD SCHMIDT ✓ _____,
VIVIAN SCHMIDT ✓ _____, STIER ✓ _____, TALARICO ✓ _____,
ABSENT 8/1 _____

COUNCILMAN _____, _____, _____,
_____, _____, _____,

The invocation was given by _____

Received report from the City Controller for the month of _____,
19 _____. Motion made and carried that report be made a matter of record and placed
on file.

The minutes of the last Regular December 13 & 27 _____, 19 77 _____,
_____, 19 _____,
Special _____, 19 _____,

Session having been delivered to the Council, were, on motion, approved and
published.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

DATE 1/10/78 MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

December 28, 1977

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, December 28, 1977, I have approved the following ordinances passed by the Common Council at its regular meeting on December 27, 1977.

(Bill No. S-77-12-01)
SPECIAL ORDINANCE NO. S-278-77

AN ORDINANCE approving an Agreement to Purchase Real Estate from Mr. & Mrs. Charles Momper for Neighborhood Care, Inc.

(Bill No. S-77-12-02)
SPECIAL ORDINANCE NO. S-279-77

AN ORDINANCE approving contracts with Allen County Motors and Mobile Aerial Towers for two vehicles and one fiberglass Utility body

(Bill No. S-77-12-03)
SPECIAL ORDINANCE NO. S-280-77

AN ORDINANCE approving a blanket purchase order for materials for the Police Department

(Bill No. S-77-12-04)
SPECIAL ORDINANCE NO. S-281-77

AN ORDINANCE approving contracts with Weigand Construction Co., Inc., Shambaugh & Son, Inc., Havel Bros., Inc., for the Humane Shelter

(Bill No. S-77-12-06)
SPECIAL ORDINANCE NO. S-282-77

AN ORDINANCE approving a contract with Deeds Equipment Company for snow removal equipment for the Street Department



(Bill No. R-77-12-25)
RESOLUTION NO. R-67-77

A RESOLUTION authorizing payment to Allen County Ford for repair of Park Department's vehicle

(Bill No. R-77-12-27)
RESOLUTION NO. R-69-77

A RESOLUTION authorizing payment for purchase of miscellaneous repair parts for the Traffic Engineering Department

(Bill No. G-77-12-07)
GENERAL ORDINANCE NO. G-46-77

AN ORDINANCE amending General Ordinance No. G-27-77 (As Amended)

(Bill No. Z-77-01-31)
ZONING MAP ORDINANCE NO. Z-38-77

AN ORDINANCE amending the City of Fort Wayne Zoning Map No. BB-6

(Bill No. G-77-10-39)
GENERAL ORDINANCE NO. G-48-77

AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a certain Street and Alley

(Bill No. S-77-12-11)
SPECIAL ORDINANCE NO. S-283-77

AN ORDINANCE approving blanket purchase orders for materials for the C. U. Garage , WPC Plant, WPC Maintenance, Street Lighting Dept., Filtration Plant, Water Maintenance & Service Department, Street Dept., Lawton Park, Fire Dept., Traffic Parking Administration, and Police Garage

(Bill No. S-77-12-12)
SPECIAL ORDINANCE NO. S-284-77

AN ORDINANCE approving a contract with Preferred Products for materials for City Street Lighting Department

(Bill No. S-77-12-13)
SPECIAL ORDINANCE NO. S-285-77

AN ORDINANCE approving a contract with Bercot, Inc., for E.D.S.A. Project No. 06-51-26281: construction of a Sanitary Sewer: Resolution No. 294-77

(Bill No. S-77-12-14)
SPECIAL ORDINANCE NO. S-286-77

AN ORDINANCE approving a contract with General Electric Company for materials for the City Street Lighting Department

(Bill No. S-77-12-15)
SPECIAL ORDINANCE NO. S-287-77

AN ORDINANCE approving contracts with Preferred Products and General Electric Company for materials for the Street Lighting Department

(Bill No. S-77-12-16)
SPECIAL ORDINANCE NO. S-288-77

AN ORDINANCE approving Change Order No. 1 in connection with Resolution No. 5757-1977

(Bill No. S-77-12-17)
SPECIAL ORDINANCE NO. S-289-77

AN ORDINANCE approving a contract with Continental Construction Company, Inc., for Improvement Resolution No. 5775-77- East Central Impact Area, Phase II

(Bill No. S-77-12-18)
SPECIAL ORDINANCE NO. S-290-77

AN ORDINANCE approving a contract with Hefner Chevrolet, Inc., for (1) 4 door Sedan (Malibu)

(Bill No. S-77-12-19)
SPECIAL ORDINANCE NO. S-291-77

AN ORDINANCE approving a contract with Hoosier Ford Inc., for 2 cars for the Water Maintenance & Service Department

(Bill No. S-77-12-20)
SPECIAL ORDINANCE NO. S-292-77

AN ORDINANCE approving Change Order No. 1 in connection with Project No. 76-XP-5 - Connecting Feeder Main

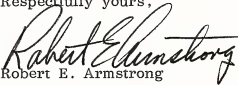
(Bill No. S-77-12-21)
SPECIAL ORDINANCE NO. S-293-77

AN ORDINANCE approving Change Order No. 1 in connection with Project No. 77-XP-1 Getz Road Connecting Feeder Main

(Bill No. S-77-12-22)
SPECIAL ORDINANCE NO. S-294-77

AN ORDINANCE approving a contract with Motorola for materials for Water Engineering Department (Radio Shop)

Respectfully yours,



Robert E. Armstrong
Mayor



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

office of the mayor

MADE A MATTER OF RECORD
DATE 1/10/78 CHARLES W. WESTERMAN, CITY CLERK

January 4, 1978

To the Common Council
Gentlemen and Mrs. Schmidt:

Today, January 4, 1978, I have approved the following ordinances passed by the Common Council at its regular meeting of December 27, 1977.

(Bill No. G-77-12-28)
GENERAL ORDINANCE NO. G-47-77

A GENERAL ORDINANCE TRANSFERRING CERTAIN FUNDS IN THE 1977 BUDGET

(Bill No. R-77-12-26)
RESOLUTION NO. R-68-77

A RESOLUTION TRANSFERRING CERTAIN FUNDS IN THE 1977 BUDGET OF THE
FIRE DEPARTMENT

Respectfully yours,


Robert E. Armstrong
Mayor



Memorandum

To Charles W. Westerman Date January 10, 1978
From William Hinga
Subject Absence from Council Meetings

COPIES TO:

All Council
Members

Please express my regrets to my fellow members for my absence from the City Council Meetings beginning January 10, 1978. I am scheduled for surgery at that time. I will be returning to City Council sometime late in February or the first meeting in March.

MADE A MATTER OF RECORD
DATE 10/18 CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Long Range Planning & Zoning

MADE A MATTER OF RECORD
1/10/78
CHARLES W. WESTERMAN, CITY CLERK

28 December 1977

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the Vacation of a dedicated public utility easement.

The proposed ordinance is designated as:

BILL NO. G-76-09-13

Respectfully submitted,

CITY PLAN COMMISSION

Joseph N. Adair

Certified and signed this
28th day of December 1977.

Joseph N. Adair
Secretary

JNA:pb



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Long Range Planning & Zoning

28 December 1977

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one dedicated public utility easement vacation acted upon by the City Plan Commission at their regular meeting held January 24, 1977. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-76-09-13
2. Intended Use: Vacated easement will be utilized by the abutting property owners.
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The present easement serves no useful purpose.

If there are any questions regarding this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachment

RESOLUTION OF VACATION OF PUBLIC EASEMENT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on September 14, 1976, referred a proposed vacation to the City Plan Commission which proposed ordinance was designated as Bill No. G-76-09-13; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

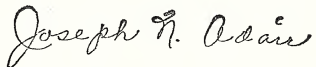
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 17, 1977;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and conflict with the overall City Plan; and,

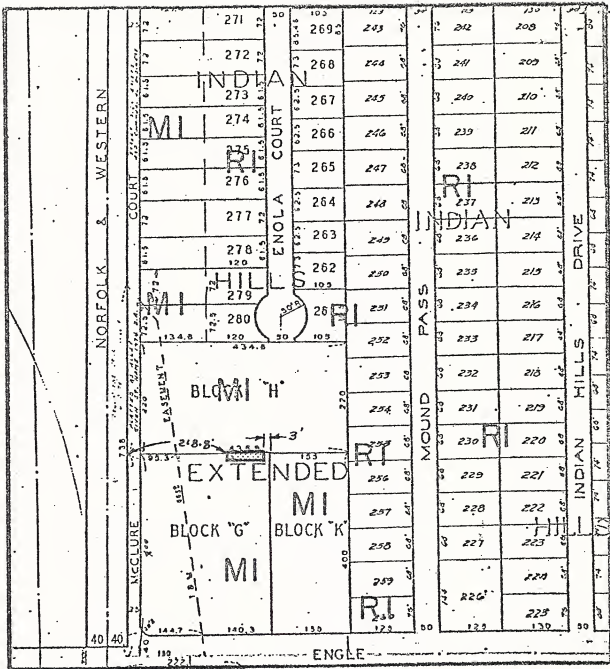
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting .


This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held January 24, 1977.

Certified and signed this
28th day of December 1977.



Joseph N. Adair
Secretary



 Vacation of Easement

AMENDED

MAP DD-6

Date Drawn 8-10-76

Drawn By R.K.

6-76-09-13

N





MADE A MATTER OF RECORD
DATE 1/10/78 CHARLES W. WESTERMAN, CITY CLERK

THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Long Range Planning & Zoning

9 January 1978

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-76-02-29

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
9th day of January 1978.

Joseph N. Adair
Secretary



THE CITY OF FORT WAYNE

COMMUNITY DEVELOPMENT & PLANNING
CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Long Range Planning & Zoning

9 January 1978

Members of Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment.

1. Bill No. Z-76-02-29

This ordinance was requested to be withdrawn by written request of the petitioner, as attached to the ordinance.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

CITY PLAN COMMISSION

Gary F. Baeten
Land Use Administrator

GFB:pb

Attachment

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana on February 24, 1976, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill Z-76-02-29; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on March 15, 1976; and,

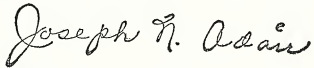
WHEREAS, a letter requesting withdrawal of the proposed ordinance has been filed with the City Plan Commission by the petitioner,

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be withdrawn in accordance with the written request of the petitioner;

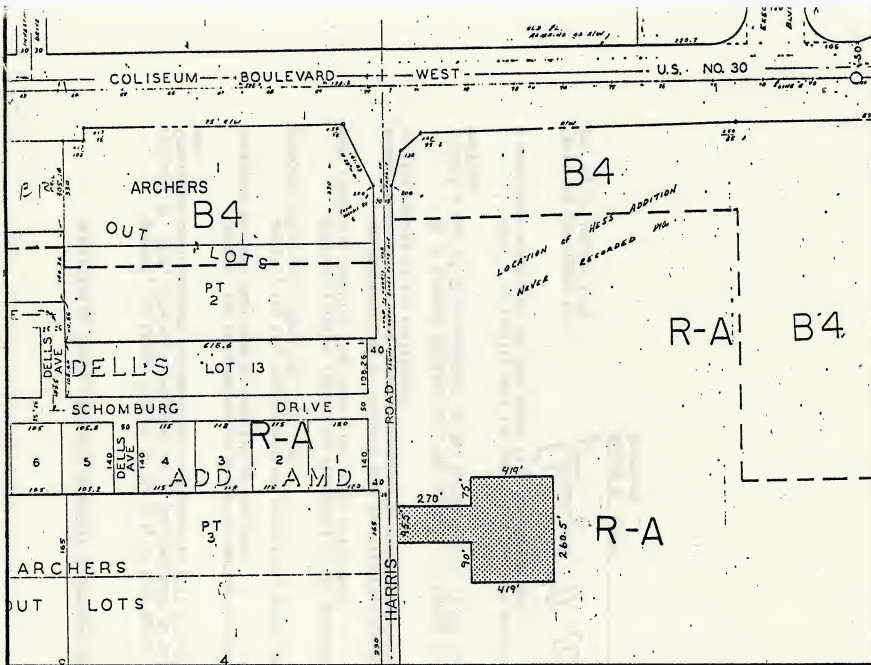
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted by the Fort Wayne City Plan Commission.

Certified and signed this
9th day of January 1978.



Joseph N. Adair
Secretary



To be rezoned from R-A to R-3

2-9-76.
CC-13
LS.

2-76-02-29



Associated

 *Commercial*

Photographers

December 26, 1977

Mr. Gary Baeten
Land Use Administrator
Community Development & Planning
Division of Long Range Planning and Zoning
City County Building
One Main Street
Fort Wayne, Indiana 46802

RE: Bill No. Z-76-02-29 From RA to R3

Gentlemen:

Please withdraw our application for change in zoning from "RA" to "R3" designated as Bill No. Z-76-02-29, which was the subject of your letter to Mr. Robert Haller dated March 24, 1976. Some future occasion, should the neighbors be able to agree on a course of action, we will resubmit the petition.

Very truly yours,


John J. McDonald

cc: Mr. Robert Haller

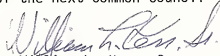
MADE A MATTER OF RECORD
DATE 1/10/78 CHARLES W. WESTERMAN, CITY CLERK

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 1/78/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.



William L. Kerr, Sr.
Acting Chairman
Board of Public Safety

RETURN CERTIFICATE

(Regulatory Resolution No. 1/78/E)

I hereby certify that I did this 3rd day of January, 1978 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, The City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana, respectively, a copy of the within Regulatory Resolution No. 1/78/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as ~~xxxxxx~~ Acting Chairman of said Board, in accordance with the provisions of Section 17-4(a) of Chapter 17, Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance G-55, adopted FEB. 14, 1961.



Acting Chairman
~~EXECUTIVE SECRETARY~~

REGULATORY RESOLUTION NO. 1/78/E

(Adopted January 3, 19 78)

WHEREAS, Section 7-4a (3), Chapter 17, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No. G-55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to RENEW & EXTEND REGULATORY RESOLUTION 62/77/E

TWO HOUR PARKING 8:00 AM-6:00 PM (EMERGENCY)

_____ ; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated December 22, 19 77, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 7-4(a) (3) of Chapter 17 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G-55 adopted FEB. 14. 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective January 3,

19 78 and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

TWO HOUR PARKING 8:00 AM-6:00 PM (EMERGENCY)

Maumee Ave. -- south side -- from Edsall Ave. to White Ave.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 10th day of January, 19 78 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this _____ day of _____, 19 ____.

Charles W. Westerman
City Clerk